

well known in the art. For example, exhibit A defines plug-ins as “software programs that extend the capabilities of the [Internet] Browser in a specific way -- giving you, for example, the ability to play audio samples or view video movies from within your browser.”

Further, the Examiner’s attention is directed to numerous issued U.S. Patents that claim a plug-in (e.g., exhibit C illustrates USP 6,486,891 claiming in claim 2 a plug-in) and mu-law (e.g., exhibit D illustrates USP 6,549,569 which claims in claim 2 mu-law encoding).

Hence, one having ordinary skill in the art would be able to determine the scope of the invention, using the universally accepted definitions of “plug-in” and “mu-law”. Hence, the §112 rejection should be withdrawn.

1, 6, 8, 12, 17-19, and 24-25 stand rejected under 35 USC §102(e) in view of U.S. Patent No. 6,341,160 to Tverskoy et al. This rejection is respectfully traversed.

Independent claims 1, 8, 12, and 16 specify an arrangement that enables a user computer to send a voice message. For example, claim 1 specifies a method in a user computer for sending a voice message, the method comprising recording a voice message based on encoding parameters recognized by a voice messaging system, and storing the voice message within a data file having a selectable Multipurpose Internet Mail Extension (MIME) type recognizable by the voice messaging system as a voice message. The method also includes outputting the data file using a prescribed messaging protocol for transfer to a destination voice mailbox accessible by the voice messaging system for a corresponding voice messaging subscriber.

As described in the specification, the “voice messaging system” refers to a messaging system, for example a voice over IP based messaging system, that records an incoming call for a voice messaging subscriber having a corresponding destination voice mailbox. As described in the

specification, such systems utilize recognized 8kHz, mu-law encoding protocols such as G.711, G.729, and GSM. In contrast, conventional PC-based recording systems utilize different encoding formats (e.g., mu-law at 64kbps) for generation of .wav files.

Hence, the independent claims specify that the voice message is recorded using encoding parameters recognized by a voice messaging system that utilizes a voice mailbox for the subscriber. These and other features are neither disclosed nor suggested in the prior art.

Tverskoy et al. does not disclose use of encoding parameters recognized by a voice messaging system, let alone outputting the data file to a destination voice mailbox accessible by the voice messaging system, as claimed. The user's e-mail inbox is an e-mail inbox; as illustrated in Figure 2 of the subject application, however, the voice mailbox is distinct from the e-mail inbox. Hence, the independent claims are distinguishable from Tverskoy et al., since the disclosed e-mail box does not read on the claimed voice mailbox.

The disclosed answering machine does not read on the claimed voice messaging system: unlike the answering machine, the voice messaging system uses a voice mailbox. Further, the voice messaging system has a voice messaging subscriber (i.e., one who subscribes to the service), indicating multiple subscribers having respective voice mailboxes. The disclosed answering machine, however, is used by an owner (col. 1, lines 17-18) at his or her residence. Thus, the answering machine has an owner, not a subscriber.

Further, Tverskoy et al does not disclose use of the encoding parameters recognized by a voice messaging system, as claimed. Tverskoy et al. specifies using a .wav file at col. 3, line 6. However, Tverskoy does not disclose or suggest using the encoding parameters recognized by a voice messaging system.

For these and other reasons, independent claims 1, 8, 12, and 19 are distinguishable from Tverskoy et al. Hence, the §102 rejection should be withdrawn.

Further, the independent claims 1, 8, 12, and 19 are patentable over Tverskoy et al. Tverskoy neither discloses nor suggests the need for an arrangement that enables a user to locally record a voice message for a voice messaging subscriber, and leave a message for the voice messaging subscriber, without the necessity of the user accessing a messaging server or encountering a voice messaging session initiated by the messaging server. In particular, the arrangement specified in claims 1, 8, 12, and 19 enable a calling party to leave a message for a messaging subscriber, even if the calling party does not have permission or authorization to access the destination voice mailbox.

For these and other reasons, independent claims 1, 8, 12, and 19 are patentable over Tverskoy et al.

Claims 2-5, 9-11, 13-16, and 20-23 stand rejected under §103(a) in view of Tverskoy et al. and U.S. Patent No. 6,301,245 to Luzeski et al. This rejection is respectfully traversed.

Tverskoy et al. is directed to an answering machine for an owner for home use (col. 1, lines 16-18) using one or two telephone lines (col.2, lines 34-38). Luzeski et al., however, is directed to a universal messaging system that utilizes a mainframe computer! (See col. 4, lines 56-58).

“Teachings of references can be combined only if there is some suggestion or incentive to do so.” In re Fine, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). There is no evidence of any motivation to modify the answering machine of Tverskoy et al. to include the functionality of the universal messaging system disclosed by Luzeski et al., especially where the universal messaging

system is implemented using a mainframe computer. There is no evidence that one having ordinary skill in the art would add a mainframe computer to an answering machine configured for home use.

“The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.” In re Fritch, 23 USPQ2d 1780, 1783-84 (Fed. Cir. 1992). Moreover, “it is impermissible to use the claimed invention as an instruction manual or ‘template’ to piece together the teachings of the prior art so that the claimed invention is rendered obvious.” Fritch at 1784. The Official Action provides no evidence that one skilled in the art would have modified the teachings of Tverskoy et al. (answering machine) to include the technology of a large-scale unified messaging system.


For these and other reasons, the §103 rejection of claims 2-5, 9-11, 13-16, and 20-23 should be withdrawn.

In view of the foregoing, it is believed this application is in condition for allowance, and such as Notice is respectfully solicited.

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To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-454, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L R Turkevich', with a stylized flourish at the end.

Leon R. Turkevich
Registration No. 34,035

Customer No. 23164
Date: April 16, 2003

MARKED-UP VERSION OF AMENDMENTS

1. (AMENDED) A method in a user computer for sending a voice message, the [message] method comprising:

recording a voice message based on encoding parameters recognized by a voice messaging system;

storing the voice message within a data file having a selectable Multipurpose Internet Mail Extension (MIME) type recognizable by the voice messaging system as a voice message; and

outputting the data file using a prescribed messaging protocol for transfer to a destination voice mailbox accessible by the voice messaging system for a corresponding voice messaging subscriber.

19. (AMENDED) A user computer configured for sending a voice message, the user computer comprising:

means for recording a voice message based on encoding parameters recognized by a voice messaging system;

means for storing the voice message within a data file having a selectable Multipurpose Internet Mail Extension (MIME) type recognizable by the voice messaging system as a voice message; and

means for outputting the data file using a prescribed messaging protocol for transfer to a destination voice mailbox accessible by the voice messaging system for a corresponding voice messaging subscriber.

Exhibit A

MORTGAGE RATES AT HISTORIC LOWS!
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■ Plug-in Developers

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What's a Plug-in?

Plug-ins are software programs that extend the capabilities of the Netscape Browser in a specific way - giving you, for example, the ability to play audio samples or view video movies from within your browser.

Click [here](#) to see if you have the plug-ins listed below installed.

Apple QuickTime

The Apple QuickTime plug-in lets you experience QuickTime animation, music, MIDI, audio, video, and VR panoramas and objects directly in a Web page.



Available for Windows 95 or later, and MacOS 8.1 or later.

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Adobe Acrobat Reader

The most reliable, efficient, and effective way to share information electronically.



Available for Linux, Windows 95 or later, MacOS 8.1 or later, and Unix versions.

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Macromedia Flash Player

Experience animation and entertainment on the web with Flash, the web standard for vector graphics and animation. Check out the [Flash Showcase](#) for more examples.



Available for Linux, Windows 95 or later, MacOS 8.1 or later, and Unix versions.

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■ Must-Have Plug-ins

1. Adobe [Acrobat Reader](#)
2. Apple [QuickTime](#)
3. [Beatnik Player](#)
4. Macromedia [Flash](#) & [Shockwave](#)
5. Real Networks [RealPlayer](#)

■ Embedding Plug-ins

Guide to [Embedding Plug-ins](#) to your Web Site

Exhibit B (p. 1 of 2)

Q2.7: What is mu-law encoding? Where can I get source for it?

Mu-law (also "u-law") encoding is a form of logarithmic quantization or companding. It's based on the observation that many signals are statistically more likely to be near a low signal level than a high signal level. Therefore, it makes more sense to have more quantization points near a low level than a high level. In a typical mu-law system, linear samples of 14 to 16 bits are companded to 8 bits. Most telephone quality codecs (including the Sparcstation's audio codec) use mu-law encoded samples.

Desktop Sparc machines come with routines to convert between linear and mu-law samples. On a desktop Sparc, see the man page for `audio_ulaw2linear` in `/usr/demo/SOUND/man`.

Craig Reese posted the source of similar routines to `comp.dsp` in August '92. These are archived on <file:///evans.ee.adfa.oz.au/pub/dsp/misc>

References:

CCITT Recommendation G.711 (very difficult to follow).

Michael Villeret, et. al, "A New Digital Technique for Implementation of Any Continuous PCM Companding Law," IEEE Int. Conf. on Communications, 1973, vol. 1, pp. 11.12-11.17.

MIL-STD-188-113, "Interoperability and Performance Standards for Analog-to-Digital Conversion Techniques," 17 February 1987.

"TI Digital Signal Processing Applications with the TMS320 Family", pp. 169-198.

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Exhibit B (p. 2 of 2)

mu-law (μ -law) algorithm

mu-law (μ -law) algorithm: A standard analog signal compression algorithm, used in digital communications systems of the North American digital hierarchy, to optimize, *i.e.* , modify, the dynamic range of an analog signal prior to digitizing. *Note:* The wide dynamic range of speech does not lend itself well to efficient linear digital encoding. Mu-law encoding effectively reduces the dynamic range of the signal, thereby increasing the coding efficiency and resulting in a signal-to-distortion ratio that is greater than that obtained by linear encoding for a given number of bits.

This HTML version of FS-1037C was last generated on Fri Aug 23 00:22:38 MDT 1996

selected, a list of web pages that have been bookmarked are presented and the user may select one of the saved web pages to retrieve. Below the tool bar are a page title 620 that indicates the title of the web page currently being displayed and a URL 635 associated with the web page currently being viewed.

The web page 600 also includes a status bar 686 which provides an indication of the URL 685 of the document that will be retrieved if the cursor control device is activated. Finally, the web page 600 includes content 645, 650, and 660.

In this example, and as above, the mouse 595 controls the position of cursor 635 on the display and allows the user to select items lying under the hot spot of the cursor 535. In the cursor's current position, if the user activates one button (e.g., left clicks the mouse 595), the web page associated with URL 685 will be retrieved and displayed in place of the current web page 500.

Referring to FIG. 6B, web page 600 is again shown, but in this example, the user is assumed to have caused the second type of selection (e.g., right clicked the mouse 595). Rather than retrieving the web page associated with tile ad 675, the second type of selection instead causes the web page associated with the tile ad 675 to be bookmarked in the browser software running on the client. As above, in one embodiment, confirmation of the success or failure of the bookmark operation may be provided to the user.

Referring now to FIG. 6C, web page 600 is shown after the web page associated with the tile ad 675 has been bookmarked. Therefore, the web page associated with the tile ad 675 is shown in the list of bookmarked web pages 690.

In the foregoing specification, the invention has been described with reference to specific embodiments thereof. It will, however, be evident that various modifications and changes may be made thereto without departing from the broader spirit and scope of the invention. The specification and drawings are, accordingly, to be regarded in an illustrative rather than; a restrictive sense.

What is claimed is:

1. A method of Internet advertising comprising:

causing an advertisement to be presented to a user, the advertisement operating in accordance with traditional click-through advertising functionality responsive to a first type of user selection and causing a web page associated with the advertisement to be bookmarked in the user's browser software application in response to a second type of user selection; wherein

the advertisement comprises a first area which is associated with the traditional click-through advertising functionality and a second area that is associated with bookmarking functionality;

the first type of user selection comprises activation of an input device while a cursor is over the first area of the advertisement; and

the second type of user selection comprises activation of an input device while the cursor is over the second area of the advertisement.

2. The method of claim 1, wherein the second type of user selection activates a plug-in residing on a computer system operated by the user.

3. The method of claim 1, wherein the first type of user selection comprises a first manner of activating a cursor control device.

4. The method of claim 3, wherein the first type of user selection comprises single clicking, double clicking, right clicking, or left clicking the cursor control device.

5. The method of claim 1, wherein the second type of user selection comprises a second manner of activating a cursor control device.

6. The method of claim 5, wherein the second type of user selection comprises single clicking, double clicking, right clicking, or left clicking the cursor control device.

7. The method of claim 1, wherein the second area of the advertisement is associated with an applet that implements the bookmarking functionality, and wherein activation of the input device while the cursor is over the second area of the advertisement causes the applet to be downloaded to and executed on a computer system operated by the user.

8. The method of claim 1, wherein the advertisement comprises a banner advertisement.

9. The method of claim 1, wherein the advertisement comprises a tile.

10. The method of claim 1, wherein the advertisement comprises a hypertext link.

11. The method of claim 1, wherein the advertisement comprises a full-page advertisement.

12. A method of Internet advertising comprising the step of causing an advertisement to be presented to a user, the advertisement having a first area which includes traditional click-through advertising and a second area that causes a web page associated with the advertisement to be bookmarked in the user's browser software application in response to user selection.

13. The method of claim 12, wherein the second area of the advertisement is associated with an applet, and wherein user selection of the second area causes the applet to be downloaded to and executed on a computer system operated by the user.

14. The method of claim 12, wherein the first area and the second area overlap.

15. The method of claim 12, wherein the first area and the second area are mutually exclusive.

16. A machine-readable medium having stored thereon data representing sequences of instructions, the sequences of instructions which, when executed by a processor, cause the processor to perform the steps of:

causing an advertisement to be presented to a user, the advertisement operating in accordance with traditional click-through advertising functionality responsive to a first type of user selection;

causing a web page associated with the advertisement to be bookmarked in the user's browser software application in response to a second type of user selection; wherein

the advertisement comprises a first area which is associated with the traditional click-through advertising functionality and a second area that is associated with bookmarking functionality;

the first type of user selection comprises activation of an input device while a cursor is over the first area of the advertisement; and

the second type of user selection comprises activation of an input device while the cursor is over the second area of the advertisement.

17. The machine-readable medium of claim 16, wherein the second type of user selection activates a plug-in residing on a computer system operated by the user.

18. The machine-readable medium of claim 16, wherein the first type of user selection comprises a first manner of activating a cursor control device.

19. The machine-readable medium of claim 18, wherein the first type of user selection comprises single clicking,

pump 608 and which generates a modulated analog signal from the sampled data signal. The modulated analog signal is then transmitted to the analog interface circuit 514 and out to the PSTN 526. The analog interface circuit 514 provides a variety of functions, such as power level setting, impedance matching, and may include hybrid circuitry to transfer information from two sets of twisted pair transmission lines to one pair of transmission lines.

According to the present invention, the data pump or DSP 608 further determines a conversion of the sampled data signal according to a first encoding law (e.g., μ -law) and, responsive to an indication of whether the destination or remote modem functions within a second encoding law (e.g., A-law), will determine what input to the second encoding scheme will produce an output most closely corresponding to the sampled digital data stream. The sampled digital data stream is then adjusted so that the resulting output of the μ -law encoder will most closely match the closest matching input to the A-law converter. The adjusted digital data stream is then provided to the codec 610 for digital to analog conversion and modulation for transmission along the PSTN. The controller 604 may receive the information concerning the encoding scheme used at the destination in any of several ways. In the case of an incoming call, this information may be derived from standard caller identification information. For example, the terminal 500 receives the caller identification information and may thereafter send a command to the controller 504 indicating that an alternate encoding scheme is used at the remote location. In the case of an outgoing call, this information could be derived from the country code that is provided prior to the local phone number by the terminal 500.

This process is illustrated in greater detail in FIG. 8, which shows a flowchart of the operation of the modem 502 of FIG. 7 (For simplicity, it will be assumed that the modem 502 is located in a μ -law site). In particular, in a step 702, the modem 502 receives digital data from the terminal 500. As noted above, the terminal 500 may be a computer such as a personal computer. In a step 704, the controller 504 provides the data to the data pump 508, which samples the data. In a step 706, the data pump 508 determines the A-law value that would give the sampled data as an output. That is, the DSP 508 determines what A-law encoding will, if decoded, result in the desired sampled data stream. The data pump 508 does so, for example, by accessing the look-up table in memory 509. In a step 708, the data pump 508 determines what μ -law value will give the corresponding output (i.e., μ -law output). In other words, assuming the A-law value determined in step 706 is equivalent to a μ -law value at the modem 502, the DSP 508 determines what μ -law input would result in that A-law value. In a step 710, the data pump 508 will adjust the data such that the new data corresponds to the determined μ -law value. In a step 712, that stream is sent to the codec 510. Finally, in a step 714, the analog data is sent out the PSTN. It is noted that, while described above in terms of adjusting a digital signal, the amplitude, for example, of the analog signal may similarly be adjusted, in a known manner.

What is claimed is:

1. A telecommunications device, comprising:

means for determining a conversion of a data signal from a first encoding law to a second encoding law; and
means for changing a level of said data signal prior to conversion to ensure that a conversion of said data signal to said second encoding law more closely approximates said data signal than if said data signal had been converted without said changing.

2. A telecommunications device, in accordance with claim 1, said first encoding law being either μ -law or A-law, and said second encoding law being the other of μ -law or A-law.

3. A telecommunications device, in accordance with claim 2, said data signal being an analog data signal.

4. A telecommunications device, in accordance with claim 2, said data signal being a digital data signal.

5. A telecommunications device in accordance with claim 2, including means for identifying whether a conversion from said first encoding law to said second encoding law will be required during a communication.

6. A telecommunications device in accordance with claim 5, said identifying means including means for identifying a country code of an input telephone number.

7. A telecommunications device in accordance with claim 5, said identifying means including means for identifying a country code of a received caller identification telephone number.

8. A telecommunications device, comprising:

a first encoding unit for encoding an input signal according to a first encoding law;

a converting unit for determining a conversion of said input signal encoded according to said first encoding law to a second encoding law; and

means for adjusting said input signal so that an output of one or more remote decoding units operating according to said second encoding law is optimized to said input signal.

9. A telecommunications device, in accordance with claim 8, said first encoding law being either μ -law or A-law, and said second encoding law being the other of μ -law or A-law.

10. A telecommunications device, in accordance with claim 9, said input signal being an analog signal.

11. A telecommunications device, in accordance with claim 9, said input signal being a digital signal.

12. A telecommunications device in accordance with claim 9, including means for identifying whether a conversion from said first encoding law to said second encoding law will be required during a communication.

13. A telecommunications device in accordance with claim 12, said identifying means including means for identifying a country code of an input telephone number.

14. A telecommunications device in accordance with claim 13, said identifying means including means for identifying a country code of a received caller identification telephone number.

15. A method of converting a data signal intended to be sent from a first site following a first coding law to a second site following a second coding law different from said first encoding law, said method comprising steps of:

determining the first coding law at said first site;

adjusting and encoding said data signal using said first coding law to produce an encoded changed data signal, said adjusting and encoding step ensuring that conversion from said first coding law to said second coding law results in a decoded data signal at said second site being more closely approximated to a normally decoded data signal if said data signal were to be sent from said first site to a third site following said first coding law; and

transmitting said encoded changed data signal to said second site where said first coding law encoded changed data signal will be converted to said second coding law format and then decoded using said second coding law to a closer reproduction of said data signal at said second site.

16. The method of claim 15 wherein said adjusting and encoding step comprises:

changing a level of said data signal based on said second coding law to produce a changed data signal; and